



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 44
Comm #: 53588-9802-40
BRRTS #: 03-57-001097
Site Name: Newton's Citgo
Site Address: Route 2 Box 40 (E4910 US Hwy 14 & 60), Spring Green, 53588
Site Manager: Mike Schmoller
Address: 3911 Fish Hatchery Road
City, State Zip: Madison, Wisconsin 53711
Phone: (608) 275-3303
e-mail: Michael.Schmoller@dnr.state.wi.us
Bid Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: Ralph.Smith@Wisconsin.Gov

Bid-Start Date:	July 17, 2006
Questions must be received by (See Section 2 (B)):	July 31, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	August 18, 2006
Bid-End Date and Time:	September 01, 2006, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal – Madison

Phone: (608) 663-1041 Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

This site is a gas station located in Spring Green at the northeast corner of Highways 14 and 23. The former USTs at this site were removed in the late 1980's or early 1990's. The site has completed the investigation and initial remedial action phases of work. This bid is for additional site remedial action and monitoring.

The groundwater remedial system, including an air sparge and SVE system, began operation in April 1995 and had operated on and off until March 2005. Since that time the system has been operated on only short time intervals to insure the system remained in working condition. The system was last run in January 2006 and was fully functional at that time.

Since shut down of the remedial system, downgradient groundwater concentrations have risen - leading to the belief that contamination remaining beneath the onsite buildings is contributing to the groundwater concerns. The work under this bid is intended to address this contamination source, the expanding plume and move the site towards closure. Because the remedial system has performed well during recent test runs, it is expected that there will be no repair costs associated with the proposed restart of the remedial system.

2) Minimum Remedial Requirements:

Startup, operation, monitoring, and maintenance of part of the existing groundwater remedial system at the Newton site. The current remedial system consists of 12 air sparge wells (AI-1 through AI-12) which are connected to 2 air sparge blowers and 14 SVE trenches (VW1 through VW 14) which are connected to a single SVE blower. This remedial phase includes startup, operation, monitoring, and routine maintenance of the air sparging system using one or both blowers as necessary and sparge wells AI-4 through A-12 inclusively and the single SVE blower and SVE trenches VW-5 through VW14 inclusively. The bid shall include the time and material cost to operate these systems for three separate 90 day time periods. The bid shall include time for sufficient site visits to insure proper operation and routine maintenance of the system. System performance and future groundwater concentrations will be used to determine if one, two, or all three of the 90 day operating periods are needed prior to a closure request at those milestones. It is expected that there will be at least 90 days of recovery time in between operating periods.

The bid shall include the time, material and subcontractor costs to monthly monitor the performance of the remedial system by measuring the total volatile organic chemical concentration at the SVE blower outfall to the atmosphere. The results shall be reported in parameter specific concentrations. Sample collection, preservation and analysis shall follow standard accepted protocols. Data shall also be collected monthly on the operating parameters of the two remedial systems including vacuum readings and flow rate for the SVE blower and air injection rates and pressures at the air sparge wells. Performance and operational

parameters will be collected each month the system is operating. Any additional costs will be considered at the contingency unit rate.

The bid shall include the time, material and subcontractor costs for sampling and analyzing water samples from existing monitoring wells EW1, EW2, EW3, EW4, PZ1, PW2, MW4R, MW9A, MW17 and MW30. The bid shall include sufficient funds to sample these wells quarterly for 6 quarters (in an 18-month period). The sampling sequence shall begin at the start of the first remedial system operation. Each water sample shall be analyzed for petroleum related volatile organic chemicals (PVOC) using accepted laboratory procedures. Sample collection, preservation and transport shall also follow accepted standard practice. Water level measurements shall be taken with each sampling round. The successful bidder shall be responsible for containerization, sampling and final disposal of all wastes generated through sampling and remediation.

The bid shall include time and material costs to prepare a brief written report at the conclusion of each 90 day system operation and quarterly groundwater monitoring reports for the duration of the approved monitoring schedule. The quarterly monitoring reports shall include adequate tables and maps to accurately show the sampling results. The quarterly reports shall include water table maps showing groundwater flow direction. Reporting requirements per Comm 47.70 are in effect. Quarterly report information shall be submitted using electronic web-based reporting requirements per Comm 47.70 as much as possible. Quarterly paper copy reports are not required, if the Comm 47.70 electronic reporting fulfills the same data request per DNR and Commerce. Reference the PECFA Contract Notification and Site Reporting Web-page for further reporting requirements per this bid in the hyperlink below –

<http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>

Following the conclusion of the final 90 day remedial period, the entire remedial system shall be test run on a quarterly basis. The bidder shall include a time and material cost for test running the entire remedial for 15-30 minutes once per quarter to insure the system remains in operating condition. System performance sampling will not be required during these quarterly test runs. For purposes of this bid assume 2 quarterly system test runs.

This bid is written to have the engineered system run for up to three 90 day operation cycles covering a time period of up to 18 months depending on the length of recovery periods, with closure considered possible at the end of any of the 90 day periods. Longer timeframes will require contingency unit rates be approved per DNR and Commerce review.

Contingency unit rates (lump sum) are to be considered as an incremental basis for potential bid cost cap modifications for the potential length of this bid scope - which is up to three years. Contingency unit rates allow for closure costs to be considered, if appropriate.

This is not a bid to closure.

3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there maybe additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is receive will not be reimbursed to the claimant. Claim preparation costs must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 3 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 4 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 5 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:

- a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

**BID RESPONSE
(1st Page)**

Department of Commerce PECFA Program

SITE NAME:	Newton's Citgo
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COMMERCE #: 53588-9802-40

BRRTS #: 03-57-001097

Submit Bid Response To: Cathy Voges
 Public Bid Response
 Department of Commerce PECFA Bureau
 201 W Washington Ave, Madison WI 53703-2790 or
 PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed above. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature:

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Newton's Citgo
COMMERCE #: 53588-9802-40
BRRTS #: 03-57-001097

Consulting Firm Name: _____

A bid will be considered to be non-complaint if the bid response does not include separate tabulation of cost for each activity.

1	Time and material costs which includes subcontractor costs for startup, operation, monitoring (includes monthly operating data on the AS/SVE systems and PVOC concentrations in the SVE exhaust reported on a parameter-specific basis during all three operation cycles), and maintenance of the specified components of the AS/SVE system for all three of the planned 90 day operation cycles. System performance and groundwater concentrations will be used to determine if 1, 2, or all 3 of the 90-day operating periods are needed prior to a closure request. It is expected that there will be at least 90 days of recovery time in between operating periods. (Costs to include per diem and mileage).	\$	
2	Collection and analytical costs for six rounds of quarterly groundwater sampling for PVOCs for the wells specified, elevation data, and all investigative & remedial waste disposal costs. (Costs to include per diem and mileage)	\$	
3	Data preparation and reporting (non-closure) – (3) system operation reports and (6) quarterly monitoring reports. These reports can be included in the Comm 47 reporting requirements.	\$	
4	Time and material costs for two test runs of the remedial system. (2 test runs) (Costs to include per diem and mileage)	\$	
5	Reporting Requirements per Comm 47.70	\$	
6	Claim Preparation	\$	
7	Other (Please explain)	\$	
8	Total Bid Amount (sum) – also include on Page 1 of bid response	\$	
9	Contingency unit rate (lump sum) for one round of groundwater monitoring for PVOC, includes sampling at all monitoring wells specified, elevation data, and waste disposal. This unit rate will be used to allow for incremental groundwater sampling events for up to three years. (Costs to include per diem and mileage.)	\$	

10	Contingency unit rate (lump sum) for time and material costs (including subcontractor costs) for startup, operation, monitoring (includes monthly operating data on the AS/SVE systems and PVOC concentrations in the SVE exhaust reported on a parameter-specific basis – for a period of one (1) planned 90-day operation cycle. System performance and groundwater concentrations will be used to determine if additional 90-day operating periods are needed on a lump sum basis prior to a closure request. It is expected to have up to a 90-day recovery time. This unit rate will be used to allow the AS/SVE system to run on an incremental basis for up to three years, if appropriate. (Costs to include per diem and mileage)	\$	
11	Contingency unit rate for Reporting Requirements per Comm 47.70	\$	
12	Contingency unit rate for time and material costs for test run of the remedial system quarterly for 4 times. (4 test runs) (Costs to include per diem and mileage)	\$	
13	Contingency unit rate for all closure-related costs (lump sum), including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public, remedial system abandonment, and all well abandonment costs (and unit rate includes costs for per diem and mileage).	\$	